

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

ANDREW LOPEZ,)	CIVIL NO. 03-00011 DAE LEK
)	
Plaintiff,)	DECLARATION OF CARMEN EVERETT
)	
vs.)	
)	
JOHN ASHCROFT, in his)	
capacity as the Attorney)	
General,)	
)	
Defendant.)	
)	

DECLARATION OF CARMEN EVERETT

I, Carmen Everett, declare that:

I am the Senior Administrative Law Attorney for the U.S. Immigration and Customs Enforcement, U.S. Department of Homeland Security, Office of the Principal Legal Advisor. I am familiar with the documents described below.

This case arose from two (2) Equal Employment Opportunity complaints filed by the plaintiff - Agency No. I-98-W064/EEOC No. 370-A2-X2467 and Agency No. 1-99-W095/EEOC No. 370-AO-X277.

1. Attached as Exhibit 1 is a true and correct copy of Agency No. I-98-W064, ROI, Ex. F3, Bates Stamp No. 001670.

2. Attached as Exhibit 2 is a true and correct copy of Agency No. I-98-W064, ROI, Ex. F7, Bates Stamp No. 001693.

3. Attached as Exhibit 3 is a true and correct copy of Agency No. I-98-W064, ROI, Ex. 178, Bates Stamp No. 001700.

4. Attached as Exhibit 4 is a true and correct copy of Agency No. I-98-W064, ROI, Ex. F2, Bates Stamp No. 001494.

5. Attached as Exhibit 5 is a true and correct copy of Agency No. I-98-W064, ROI, Ex. B, Bates Stamp No. 001426.

6. Attached as Exhibit 6 is a true and correct copy of Agency No. I-98-W064, ROI, Ex. F7, Bates Stamp No. 001693.

7. Attached as Exhibit 7 is a true and correct copy of Agency No. I-98-W064, ROI, Ex. F2, Bates Stamp No. 001484-5.

8. Attached as Exhibit 8 is a true and correct copy of Lopez' own deposition, p. 87, line 13-19.

9. Attached as Exhibit 9 is a true and correct copy of Agency No. I-98-W064, ROI, Ex. F2, Bates Stamp No. 001484.

10. Attached as Exhibit 10 is a true and correct copy of Agency No. I-98-W064, ROI, Ex. F17a, Bates Stamp No. 001905.

11. Attached as Exhibit 11 is a true and correct copy of Lopez' own deposition p. 91, lines 10-25 through p. 96, lines 1-6.

12. Attached as Exhibit 12 is a true and correct copy of Agency No. I-98-W064, ROI, Ex. F2, Bates Stamp Nos. 001485-6.

13. Attached as Exhibit 13 is a true and correct copy of Agency No. I-98-W064, ROI, Ex. F2, Bates Stamp No. 001488.

14. Attached as Exhibit 14 is a true and correct copy of Agency No. I-98-W064, ROI, Ex. F3, Bates Stamp No. 001663.

15. Attached as Exhibit 15 is a true and correct copy of Agency No. I-98-W064, ROI, Ex. F8, Bates Stamp No. 001699.

16. Attached as Exhibit 16 is a true and correct copy of Agency No. I-98-W064, ROI, Ex. F9a, Bates Stamp No. 001706.

17. Attached as Exhibit 17 is a true and correct copy of Agency No. I-98-W064, ROI, Ex. F3, Bates Stamp Nos. 001670-1.

18. Attached as Exhibit 18 is a true and correct copy of Complaint, paragraph 12.a.

19. Attached as Exhibit 19 is a true and correct copy of Agency No. I-98-W064, ROI, Ex. F2, Bates Stamp Nos. 001486-8.

20. Attached as Exhibit 20 is a true and correct copy of Agency No. I-98-W064, ROI, Ex. F18, Bates Stamp No. 001908-12.

21. Attached as Exhibit 21 is a true and correct copy of Agency No. I-98-W064, ROI, Ex. F2, Bates Stamp No. 001487.

22. Attached as Exhibit 22 is a true and correct copy of Agency No. I-98-W064, ROI, Ex. F3, Bates Stamp No. 001662.

23. Attached as Exhibit 23 is a true and correct copy of Agency No. I-98-W064, ROI, Ex. F7, Bates Stamp No. 001694.

24. Attached as Exhibit 24 is a true and correct copy of Agency No. I-98-W064, ROI, Ex. F8, Bates Stamp Nos. 001698-9.

25. Attached as Exhibit 25 is a true and correct copy of Agency No. I-98-W064, ROI, Ex. B, Bates Stamp No. 001411.

26. Attached as Exhibit 26 is a true and correct copy of Agency No. I-98-W064, ROI, Ex. F3, Bates Stamp No. 001664.

27. Attached as Exhibit 27 is a true and correct copy of Complaint, paragraph 12.b.

28. Attached as Exhibit 28 is a true and correct copy of Agency No. I-98-W064, ROI, Ex. F2, Bates Stamp Nos. 001489-90.

29. Attached as Exhibit 29 is a true and correct copy of Agency No. I-98-W064, ROI, Ex. F7, Bates Stamp No. 001695.

30. Attached as Exhibit 30 is a true and correct copy of Agency No. I-98-W064, ROI, Ex. F2, Bates Stamp No. 001491.

31. Attached as Exhibit 31 is a true and correct copy of Agency No. I-98-W064, ROI, Ex. F3, Bates Stamp No. 001665.

32. Attached as Exhibit 32 is a true and correct copy of Agency No. I-98-W064, ROI, Ex. F8, Bates Stamp Nos. 001699-70.

33. Attached as Exhibit 33 is a true and correct copy of Agency No. I-99-W095, ROI, Ex. 5, Hearing Transcript and Decision.

34. Attached as Exhibit 34 is a true and correct copy of Agency No. I-99-W095, ROI, Ex. 6, Hearing Transcript and Decision.

35. Attached as Exhibit 35 is a true and correct copy of Agency No. I-99-W095, ROI, Ex. 7, Hearing Transcript and Decision.

36. Attached as Exhibit 36 is a true and correct copy of Agency No. I-99-W095, ROI, Ex. 8, Hearing Transcript and Decision.

37. Attached as Exhibit 37 is a true and correct copy of Agency No. I-99-W095, ROI, Ex. 9, Hearing Transcript and Decision.

38. Attached as Exhibit 38 is a true and correct copy of Agency No. I-99-W095, ROI, Ex. 10, Hearing Transcript and Decision.

39. Attached as Exhibit 39 is a true and correct copy of Agency No. I-99-W095, ROI, Ex. 5, p. 10.

40. Attached as Exhibit 40 is a true and correct copy of Agency No. I-99-W095, ROI, Ex. 5, p. 12.

41. Attached as Exhibit 41 is a true and correct copy of Letter of January 28, 1999 from Brehm to Lopez.

42. Attached as Exhibit 42 is a true and correct copy of Agency No. I-99-W095, ROI, Ex. 8, pp. 4-5, February 3, 1999 Brehm Note.

43. Attached as Exhibit 43 is a true and correct copy of Agency No. I-99-W095, ROI, February 10, 1999 Memorandum to

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Deputy Port Director, Ex. 10, pp. 4-5, Hearing Transcript and Decision.

I declare, under penalty of perjury, that the foregoing is true and correct to the best of my knowledge and belief.

DATED: April 7, 2005.


Carmen Everett